IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 17771 of 2004

Between:

Sri Ganesh T.V. & Video Games, Shivajinagar, Nalgonda, rep. by its Proprietor Cherupalli Ramaswamy, S/o. Yellaiah, Aged 38 Years, Occ: Business, R/o. Sivajinagar, Nalgonda, Nalgonda District.

..... PETITIONER

AND

1 The Sub-Inspector of Police, II Town Police Station, Nalgonda, Nalgonda District.
2 The S.H.O., II Town Police Station, Nalgonda, Nalgonda District.
3 The Dy. Superintendent of Police, nalgonda Town, Nalgonda District.
4 The Superintendent of Police, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue an order or orders more particularly one in the nature of writ of Mandamus, declaring the action of the Respondents herein in trying to interfere with petitioner's video games shop being run under the name and style of "Sri Ganesh T.V. & Video Games", Shivajinagar, Nalgonda, Nalgonda District as illegal, arbitrary, without any authority of law, and vioative of Art. 19 (1) (g) of Constitution of India and issued a consequential direction to the respondents herein not to interfere petitioner's the above said video games shop at shivajinagar, Nalgonda Town and District and pass.

Counsel for the Petitioner:MR.GAJJALAVENKATA REDDY

Counsel for the Respondent No.: GP FOR HOME

The Court made the following :

O R D E R:

Heard the learned counsel for the petitioners and the learned Government Pleader for Home appearing for the respondents.

It is represented by the learned counsel for both the parties that the issued raised in this writ petition is squarely covered by the decision of this Court in W.P.No.16596 of 2003, which was disposed of with certain observations and directions.

Accordingly, following the order in W.P.No.16596 of 2003, the writ petition is disposed of with the following observations and directions:

> "1. The petitioners who are running the games centre for playing video games is not required to take out any licence under the A.P.Gaming Act;
>
> 2. It is not suggested that the licence is required under the Provisions of any other Act;
>
> 3. The Respondent-Police Officers have no power to interfere with the running of centres for playing video games, on the electronic equipment on the ground that the petitioners do not possess the licence; and
>
> 4. If it is felt that the petitioners have contravened any of the provisions of the A.P.Gaming Act, it is open for the authorities to take action to prosecute the petitioners."

In the result, the writ petition is disposed of. No costs.

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01-10-2004

Mjl/*

To

1 The Sub-Inspector of Police, II Town Police Station, Nalgonda, Nalgonda District.
2 The S.H.O., II Town Police Station, Nalgonda, Nalgonda District.
3 The Dy. Superintendent of Police, nalgonda Town, Nalgonda District.
4 The Superintendent of Police, Nalgonda District.

5. 2 CCs to G.P. for Home, High Court of A.P.Hyderabad.

6. 2 CD copies.